

Restriction Requirement

In the Restriction Requirement, the Examiner contends that the application contains claims directed to two patentably distinct inventions. Invention I, as defined by Claims 1 through 15, is drawn to a duct system; and Invention II, as defined by Claims 16 through 26, is drawn to a method for forming a hose or duct assembly.

The Examiner contends that Inventions I and II are distinct from one another and that the process of Invention II can be used to make other materially different products, such as reinforced rods or shafts.

Applicant hereby provisionally elects to prosecute the claims that are directed to Invention II, with traverse.

Applicant respectfully submits that Inventions I and II are not distinct. In this regard, Applicant notes that Claim 16 pertains to a “method for forming a reinforced flexible duct assembly”, while Claims 18 and 25 pertain to a “method for forming a hose assembly for coupling a plurality of components in fluid connection”. Each of the method claims includes limitations such as a “duct member” or “duct structure”, which connotes a “tube, canal or conduit by which fluid or other substances are conducted or conveyed” due to the use of the word “duct”. As such, Applicant submits that the method claims (i.e., Claims 16 through 25) are not usable for making other materially different products, such as rods or shafts, as suggested by the Examiner.

In view of the above, Applicant submits that the Examiner has not established that Inventions I and II are distinct. As the Examiner knows, the entry of a Restriction Requirement without a showing that inventions independent or distinct is improper. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the aforementioned Restriction Requirement.

Election of Species

The Examiner also contends that the present application includes claims directed to patentably distinct species and that the species are illustrated in Figures 2, 9 and 10. The Examiner also contends that the application does not contain any generic claims.

With regard to the embodiments illustrated in Figures 9 and 10, Applicant submits that Claims 9 through 12 generically read on both Figures 9 and 10, while Claim 13 reads on Figure 10 and Claims 14 and 15 read on Figure 9. Claims 1 through 8 and 16 through 26 appear to read on Figure 2.

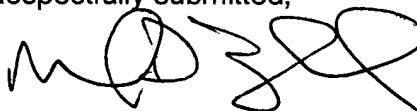
Applicant hereby elects to prosecute the claims that are directed to the embodiment of Figure 2 (i.e., Claims 1 through 8 and 16 through 26).

CONCLUSION

It is believed that a full and complete response has been made to the outstanding office action, and as such, the present application is in condition for allowance. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned attorney at (248) 641-1600.

Prompt and favorable consideration of this response is respectfully requested.

Respectfully submitted,



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